

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 03-2193

ROBERT JOHN SCHIEBLE, JR.,

Plaintiff - Appellant,

versus

NEVILLE LORICK, President, SCE&G; JENKINS,
Manager, Summerville Office, SCE&G; H. RICHARD
ROSEBROCH, County Council Chairman for
Dorchester County; JAMES JACKSON; RANDY GREEN,

Defendants - Appellees,

and

SCE&G,

Defendant.

Appeal from the United States District Court for the District of
South Carolina, at Charleston. C. Weston Houck, Senior District
Judge. (CA-02-1400-2-12)

Submitted: January 29, 2004

Decided: February 4, 2004

Before WILKINSON, MICHAEL, and KING, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Robert John Schieble, Jr., Appellant Pro Se. John A. Massalon,
WILLS & MASSALON, Charleston, South Carolina; M. Dawes Cooke,
Peter G. Nistad, BARNWELL, WHALEY, PATTERSON & HELMS, L.L.C.,
Charleston, South Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Robert John Schieble, Jr., seeks to appeal the district court's order dismissing his 42 U.S.C. § 1985 (2000) complaint without prejudice. We dismiss the appeal for lack of jurisdiction because the notice of appeal was not timely filed.

Parties are accorded thirty days after the entry of the district court's final judgment or order to note an appeal, Fed. R. App. P. 4(a)(1)(A), unless the district court extends the appeal period under Fed. R. App. P. 4(a)(5) or reopens the appeal period under Fed. R. App. P. 4(a)(6). This appeal period is "mandatory and jurisdictional." Browder v. Director, Dep't of Corr., 434 U.S. 257, 264 (1978) (quoting United States v. Robinson, 361 U.S. 220, 229 (1960)).

The district court's order was entered on the docket on August 19, 2003. The notice of appeal was filed on September 19, 2003. Because Schieble failed to file a timely notice of appeal or to obtain an extension or reopening of the appeal period, we dismiss the appeal. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED